

| |
|----------------------|
| USDC SDNY |
| DOCUMENT |
| ELECTRONICALLY FILED |
| DATE FILED: 2/6/08 |

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER DISASTER
SITE LITIGATION

X : 21 MC 102 (AKH)
: This order relates to claims against
: VERIZON NEW YORK INC.
: ONLY in:
: All cases listed in Schedule A
:
:
X

ALVIN K. HELLERSTEIN, U.S.D.J.:

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the individual actions listed in Schedule A, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of these actions, the listed actions be, and the same hereby are discontinued against Verizon New York Inc., only, without prejudice, without costs to either party as against the other.

IT IS HEREBY FURTHER STIPULATED AND AGREED, that should facts or circumstances derived from future discovery, or otherwise, come to light that indicate a relationship to the litigation and a basis of a claim against the defendant for whom this Stipulation is being entered, and/or should it come to light that the information provided by said defendant in support of its request of discontinuance at this time, be discredited in the future to have been inaccurate, false or misleading, plaintiff may re-assert its claim against said defendant by motion, stipulation or otherwise, and without the necessity of additional service of process, and in no event will said defendant raise any statute of limitations defense other than as may

have been asserted based upon the date of filing of the original action, at the time that the action was originally commenced against said defendant.

This Stipulation may be filed without further notice with the Clerk of the Court and defendant will obtain, if necessary, any Judicial "So Order" of this Stipulation and any other signatory, if necessary.

Dated: January 29, 2008
New York, New York

KIRKLAND & ELLIS LLP
Attorneys for Defendant,
Verizon New York Inc.

WORBY GRONER EDELMAN
& NAPOLI BERN, LLP
Attorneys for Plaintiff

By: Lee Ann Stevenson, Esq.
LEE ANN STEVENSON

Citigroup Center
153 East 53rd Street
New York, New York 10022
Tel: (212) 446-4917

By: Christopher Lopalo
CHRISTOPHER LOPALO (CL-6466)

115 Broadway, 12th Floor
New York, New York 10006
Tel: (212) 587-0031

SO ORDERED:

2/6/08

Alvin K. Hellerstein
HON ALVIN K. HELLERSTEIN

Schedule A - 21 MC 102 Docket

| No. | Plaintiff | Index Number |
|-----|----------------------|---------------|
| 1 | Battle, Richard | 07 CV 05277 |
| 2 | Colucci, Christopher | 06 CV 14564 |
| 3 | Delorbe, Luciano | 06 CV 12731 |
| 4 | Doyle, Edward | 06 CV 13880 |
| 5 | Fallon, William P. | 06 CV 14636 |
| 6 | Francis, Charles | 07 CV 01611 |
| 7 | Garcia, Viviana | 06 CV 14671 |
| 8 | Graziano, Anthony | 06 CV 14694 |
| 9 | Jara, Marina | 07 CV 04477 |
| 10 | Kochanski, Daniel | 06 CV 10377 |
| 11 | Letz, Alan | 06 CV 14793 |
| 12 | Pepe, Robert S. | 06 CV 12802 |
| 13 | Saeteros, Milton I. | Not Available |
| 14 | Yozefowicz, Yan | 07 CV 05329 |
| 15 | Zolfo, Vincent | 06 CV 12843 |